

## **Remarks**

### **Claims Rejections – 35 USC §102**

Examiner rejects Claims 23-28, 30-33, 35-36 and 39-44 under 35 USC 102(b) as being anticipated by *Acampora et al.* (US 5,528,583).

It is respectfully submitted that these claims are patentably distinguished over *Acampora* in view of the following remarks.

In the present invention, as defined by independent claims 23, 30, 39 and 41, a mobile terminal transmits, to a target base station, information identifying explicitly at least some of the nodes of the network which support an existing communication. The information explicitly identifies nodes (e.g. cross-over switches) in the current communication path through the network. It is useful to re-use part of the existing communication path through the network for the new communication path to the target base station. By explicitly specifying network nodes in the current path, the target base station is able to quickly identify a node to which it can connect. It is important that an existing call is quickly transferred as only a limited time period is available before a call is 'dropped'.

*Acampora* describes a mobile communications system in which a call is handed off between base stations. *Acampora* does not describe how information identifying explicitly at least some of the nodes of the network is sent from the mobile terminal to a target base station. Instead, *Acampora* (Scheme 1) teaches how a terminal can change the virtual channel identifier (VCI) of it's transmitted packets (see col.7 lines 14-16). The use of VCIs in the manner of *Acampora* requires that switches within the network recognise that a change of VCI has occurred and also that they understand that this change of VCI represents that the terminal has now moved to a

different base station. This technique also requires a mobile terminal to be provided with information about the VCI for all base stations that the terminal could possibly hand-off to (see col.7 lines 16-20), which is an onerous requirement. Furthermore, VCIs do not uniquely identify a node within a network but are reused many times within a network; this is acknowledged by the passage at col.7 lines 53-55.

In contrast, the sending of information identifying explicitly at least some of the nodes of the network, as recited by claims 23, 30, 39 and 41 of the present invention, provides an absolute identifier of the network nodes supporting the current communication, wherever in the network those nodes are located. This allows the target base station to accurately and quickly identify a node (and therefore a part of the existing communication path) that can be reused.

Dependent claims 25-28, 32-33, 35-36 and 42-44 are also considered allowable at least by virtue of their dependency on an allowable base claim 23, 30, 39 or 41.

Claims 35, 36, 28 and 33 relate to authentication. Terminals must be authorized to use resources before a communication is set-up. During a handover or similar process, the need for a target base station to authenticate a terminal can incur a delay. Claims 35, 36, 28 and 33 recite the steps of "providing the mobile terminal with pre-authenticated reference data for that mobile terminal" and "copying the pre-authenticated reference data to at least some of the current nodes of the communications network supporting the communication". Subsequently, the mobile terminal transmits the pre-authenticated reference data to a target base station. By copying pre-authenticated reference data, such as the signature of the terminal, to network nodes the target base station can establish a communication path without the need to interrogate a centralized authentication centre.

Applicant can find no teaching in *Acampora* of the steps of claims 35, 36, 28 and 33. The passages indicated by the Examiner merely describe how an identifier (the

connection tree ID) is assigned to a user. *Acampora* does not address the problem of authentication of a terminal, nor does it teach how authenticated data is sent to the terminal, copied to network nodes, and sent from the terminal to the target base station in preparation for setting up a communication with a target base station. It is respectfully noted that Claims 35, 36, 28 and 33 are patentably distinguished over *Acampora*.

### **Claims Rejections – 35 USC §103**

Examiner rejects Claims 29, 34, 37 and 38 under 35 USC 103(a) as being unpatentable over *Acampora* in view of *Gilhousen et al.* (US 5,603,096).

Claims 29 and 34 are dependent on a base claim 23 or 30 which are considered allowable for the reasons explained above. *Acampora* fails to teach the sending of information identifying explicitly at least some of the nodes of the network supporting the communication path to a target base station. *Gilhousen* also fails to show this feature and thus these base claims are patentably distinguished over a combination of *Acampora* and *Gilhousen*. Claims 29 and 34 recite an additional step of a target base station beginning fast power control of a mobile terminal before the path through the network supporting a further radio link is complete.

*Gilhousen* teaches power control of a mobile terminal during a soft-handover mode. This requires that there is a radio link in place between a base station terminal and the terminal. In contrast, Claims 29, 34, 37 and 38 of the present invention require a target base station to begin fast power control of a mobile terminal before the path through the network supporting a further radio link is complete.

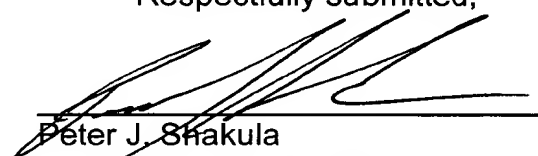
*Gilhousen* fails to teach that a target base station begins fast power control of a mobile terminal before the path through the network supporting a further radio link is complete and thus Claims 29 and 34 are further distinguished over a combination of *Acampora* and *Gilhousen*.

For similar reasons, Claims 37 and 38 are patentably distinguished over *Gilhousen* as *Gilhousen* fails to teach that a target base station begins fast power control of a mobile terminal before the path through the network supporting a further radio link is complete.

For the foregoing reasons, Applicant respectfully submits that the claims pending in this application are in condition for allowance. Early issuance of a Notice of Allowance is solicited.

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